

FILED MAY 14 2004 15:43 USBORI

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

IN RE: **NICHOLAS MASTROIANNI, II**
Debtor(s)

Bk No. 03-13239
Chapter 7

J. CHRISTOPHER MARSHALL
The United States Trustee
Plaintiff

Vs. Adv. Proc. No.04-01007

NICHOLAS MASTROIANNI, II
Defendant

ANSWER
Parties

1. Admitted
2. Admitted
3. Admit that Defendant has lived at addresses in Florida and Rhode Island, one of them being in Jupiter, Florida.

Jurisdiction

4. Admitted
5. Admitted
6. Admitted

General Allegations

7. Admitted
8. Admitted
9. Admitted that at the time of filing Schedule I showed gross wages of \$8,666.60 per month and Schedule J showed expenses of \$11,600.11 per month.
10. Admitted
11. Admit that Schedule J lists a monthly expense of \$500.00 for "Rent in East Greenwich, RI." Defendant neither admits nor denies the remaining averments as Debtor's testimony at the meeting speaks for itself.

COUNT I

12. Defendant hereby repeats and reasserts the answers contained in the preceding 11 paragraphs as if fully set out again herein

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13. Admit that the Defendant appeared at a Rule 2004 Examination on February 13, 2004. Defendant neither admits nor denies the remaining averments as the transcript of the examination speaks for itself.
14. Admit that Defendant was asked to produce certain information regarding his financial condition. Defendant neither admits nor denies the remaining averments as the request speaks for itself.
15. Admit that Defendant produced documentation requested by Plaintiff. Defendant neither admits nor denies the remaining averments as Defendant's response speaks for itself.
16. Denied.
17. Defendant is without knowledge or information sufficient to form a belief as to the truth of this averment.
18. Denied

COUNT II

19. Defendant hereby repeats his answers to the allegations contained in the preceding 18 paragraphs, as if fully set out again herein.
20. Defendant neither admits nor denies the averments contained herein as the transcript of the Rule 2004 Examination speaks for itself. Defendant denies any remaining averments.
21. Denied
22. Denied
23. Denied

COUNT III

24. Defendant hereby repeats his answers to the allegations contained in the preceding 23 paragraphs, as if fully set out again herein.
25. Defendant neither admits nor denies the averments as the record of the meeting of creditors speaks for itself.
26. Admitted
27. Defendant is without knowledge or information sufficient to form a belief as to the truth of this averment.

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28. Defendant is without knowledge or information sufficient to form a belief as to the truth of this averment.

29. Denied

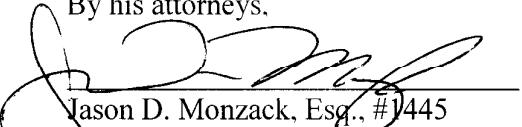
30. Denied

31. Admitted

WHEREFORE, Defendant respectfully requests that this Court enter an Order

- (a) Awarding Defendant his discharge; and
- (b) Deny Plaintiff's request that discharge be denied pursuant to 11 U.S.C. §727(a)(3), (a)(4)(A) and (a)(5); and
- (c) Granting the Defendant such other and further relief as its deems meet and just

Nicholas A. Mastroianni, II
By his attorneys.


Jason D. Monzack, Esq., #1445
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CERTIFICATION

I, the undersigned, hereby certify that on the 14th day of May, 2004 I mailed a copy of the Answer to Complaint to Deny Discharge filed by U.S. Trustee to Stacey B. Ferrara, Trustee, Coventry Commons 475 Tiogue Avenue, Suite 3, Coventry, RI 02816 and Leonard DePasquale, Esq., Ste 910, 10 Dorrance Street, Providence, RI 02903.

